

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:

Toby J Walker, Sr.
Debtor(s)

Bankruptcy Case No.: 16-70385-JAD
Doc. No. 105
Chapter: 13
Docket No.: 106 – 105
Concil. Conf.: July 18, 2019 at 09:00 AM

ORDER

WHEREAS, the Trustee filed and served a *Certificate of Default Requesting Dismissal of Case*, alleging that the Debtor(s) failed to make regular plan payments and are in material default under the plan,

IT IS HEREBY ORDERED that, on or before **May 31, 2019**, Debtor(s) must file *Documentary Proof of Payment* according to the accompanying *Instructions*, together with either:

1. a *Notarized Affidavit* or *Declaration* under penalty of perjury that states Debtor(s)' current mailing address and includes an explanation of Debtor(s)' failure to comply with the current plan payment and/or a statement setting forth why the Debtor(s) dispute the *Certificate of Default*;

OR

2. a *Notice of Proposed Modification to Confirmed Plan* and an *Amended Plan* to cure the plan defaults. Debtor(s) must make all plan payments in accordance with the *Amended Plan* pending its confirmation. If the Debtor(s) default on such plan payments, and if the Trustee moves for dismissal of this case, the case will be **DISMISSED**, without further notice or hearing.

IT IS FURTHER ORDERED that, if the Debtor(s) elect to file an *Amended Plan*, the Debtor(s) must immediately serve a copy of the *Notice of Proposed Modification to Confirmed Plan*, the *Amended Plan*, and the *Documentary Proof of Payment* on the Chapter 13 Trustee and all parties on the mailing matrix and file a *Certificate of Service* with the Clerk.

On or before **June 17, 2019**, if the Debtor(s) elect to file an *Amended Plan*, all *Objections* must be filed and served on the Debtor(s), Chapter 13 Trustee and any creditor whose claim is the subject of the *Objection*. Any creditor who files a timely *Objection* must appear at the scheduled Conciliation Conference. Untimely *Objections* will not be considered.

On **July 18, 2019 at 09:00 AM** a Conciliation Conference (on plan defaults or the *Amended Plan*) will occur with the Chapter 13 Trustee at 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.

If the Parties cannot resolve all disputes at the Conciliation Conference, a hearing will be scheduled and orally announced at the conclusion of the Conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the Conciliation conference to the extent such parties desire more information regarding the outcome of the Conciliation Conference.

This case will be **DISMISSED WITHOUT PREJUDICE** and no hearing or conference shall take place, unless the Debtor(s) comply fully with this *Order* by filing and serving all of the required items.

Dated: April 16, 2019

cm: All Creditors and Parties In Interest

Jeffery A. Deller
United States Bankruptcy Judge

INSTRUCTIONS FOR DOCUMENTARY PROOF OF PAYMENT

In response to the Trustee's *Certificate of Default Requesting Dismissal of Case*, Debtor(s) must file *Documentary Proof of Payment* that at least one full plan payment has been submitted to the Trustee since the Trustee filed and served the *Certificate of Default*.

The *Documentary Proof of Payment* must include a copy of a money order, cashier's check, earnings statement(s) or pay stub(s) showing payroll or benefit deduction(s) used to make the plan payment.

The *Documentary Proof of Payment* must also include a copy of the Trustee's printout of the Debtor(s)' payment history of receipts (available on the Trustee's website) indicating the amounts and dates of payments received by the Trustee.

Debtor(s)' case name and bankruptcy case number must be included on the payment.

The plan payment must be sent to the Chapter 13 Trustee's lock box bank account addressed to:

Ronda J. Winnecour, Trustee
P.O. Box 84051
Chicago, IL 60689-4002

In re:
Toby J Walker, Sr.
Debtor

Case No. 16-70385-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-7

User: msch
Form ID: 410

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Total Noticed: 27

Date Rcvd: Apr 16, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 18, 2019.

db +Toby J Walker, Sr., 925 East Main Street, Somerset, PA 15501-2141
14233077 +AAS Debt Recovery, PO Box 121, Monroeville, PA 15146-0121
14233078 +AAS Debt Recovery Inc., PO Box 129, Monroeville, PA 15146-0129
14233079 +BOFIFEDBK/HRBMRLD/ATLC, PO Box 105374, Atlanta, GA 30348-5374
14270760 ++COLUMBIA GAS, 290 W NATIONWIDE BLVD 5TH FL, BANKRUPTCY DEPARTMENT, COLUMBUS OH 43215-4157
(address filed with court: Columbia Gas of PA, PO Box 117, Columbus, OH 43216)
14233081 +Convergent Outsourcing, 800 SW 39th Street, Renton, WA 98057-4927
14233082 +First National Bank, 4140 E. State Street, Hermitage, PA 16148-3401
14233083 +First Premier Bank, 601 S. Minnesota Avenue, Sioux Falls, SD 57104-4868
14233085 John Deer Financial, PO Box 5328, Madison, WI 53705-0328
14300039 +PNC Bank, N.A., 3232 Newmark Drive, Miamisburg, OH 45342-5421
14233089 +PNC Mortgage, PO Box 8703, Dayton, OH 45401-8703
14233090 +Potofolio Recovery Assoc./Walmart, PO Box 12914, Norfolk, VA 23541-0914
14233093 +TEK Collect, PO Box 1269, Columbus, OH 43216-1269

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14233080 +E-mail/Text: bankruptcy@firstenergycorp.com Apr 17 2019 02:50:49 Collection Service Center,
839 5th Avenue, New Kensington, PA 15068-6303
14233084 E-mail/Text: JCAP_BNC_Notices@jcap.com Apr 17 2019 02:50:58 Jefferson Capital Systems,
16 McClelland Road, Saint Cloud, MN 56303
14278639 E-mail/Text: JCAP_BNC_Notices@jcap.com Apr 17 2019 02:50:58 Jefferson Capital Systems LLC,
Po Box 7999, Saint Cloud Mn 56302-9617
14241446 E-mail/Text: bkr@cardworks.com Apr 17 2019 02:49:53 MERRICK BANK,
Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
14275826 +E-mail/Text: bankruptcydpt@mcmcg.com Apr 17 2019 02:50:39 MIDLAND FUNDING LLC,
PO Box 2011, Warren, MI 48090-2011
14233086 +E-mail/Text: bkr@cardworks.com Apr 17 2019 02:49:53 Merrick Bank, 10705 S. Jordan Gtwy,
Suite 200, South Jordan, UT 84095-3977
14233087 +E-mail/Text: bankruptcydpt@mcmcg.com Apr 17 2019 02:50:39 Midland Funding,
8875 Aero Drive, Suite 200, San Diego, CA 92123-2255
14233088 +E-mail/Text: Bankruptcies@nragroup.com Apr 17 2019 02:51:31 National Recovery Agency,
2491 Paxton Street, Harrisburg, PA 17111-1036
14296963 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Apr 17 2019 02:58:04
Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
14293306 +E-mail/Text: JCAP_BNC_Notices@jcap.com Apr 17 2019 02:50:58 Premier Bankcard, Llc,
c/o Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud Mn 56302-7999
14233091 +E-mail/PDF: RACBANKRUPTCY@BANDT.COM Apr 17 2019 02:58:05 Regional Acceptance Corp.,
1424 E. Fire Tower Road, Greenville, NC 27858-4105
14237419 E-mail/PDF: RACBANKRUPTCY@BANDT.COM Apr 17 2019 02:58:05 Regional Acceptance Corporation,
PO Box 1847, Wilson, NC 27894-1847
14233092 +E-mail/PDF: gecsedri@recoverycorp.com Apr 17 2019 02:57:09 Synchrony Bank, Po Box 960061,
Orlando, FL 32896-0061
14233094 +E-mail/Text: bnc-bluestem@quantum3group.com Apr 17 2019 02:51:10 WEB Bank/Fingerhut,
6250 Ridgewood Road, Saint Cloud, MN 56303-0820

TOTAL: 14

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr PNC Bank, N.A.
cr PNC Bank, National Association

TOTALS: 2, * 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 18, 2019

Signature: /s/Joseph Speetjens

District/off: 0315-7

User: msch
Form ID: 410

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Total Noticed: 27

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CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 16, 2019 at the address(es) listed below:

CSU - OUCTS, PA Labor & Industry ra-li-ucts-bankpitts@state.pa.us
Elizabeth Lamont Wassall on behalf of Creditor PNC Bank, National Association pabk@logs.com, ewassall@logs.com
Elizabeth Lamont Wassall on behalf of Creditor PNC Bank, N.A. pabk@logs.com, ewassall@logs.com
James Warmbrodt on behalf of Creditor PNC Bank, National Association bkgroup@kmllawgroup.com
James Warmbrodt on behalf of Creditor PNC Bank, N.A. bkgroup@kmllawgroup.com
Joseph E. Fieschko, Jr. on behalf of Debtor Toby J Walker, Sr. joe@fieschko.com, rcfishko@aol.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmevf@chapter13trusteewdpa.com

TOTAL: 8